

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
July 24, 2001, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations

UNFINISHED BUSINESS

1. [Day Reporting Center Locations and Facility.](#)

On July 10, 2001, the City Council referred the Day Reporting Center locations and facility to the Alternative Correctional Housing Board and appropriate District Advisory Boards for review and recommendation.

RECOMMENDED ACTION: Designate preferred site; authorize Staff to negotiate appropriate Agreements; and establish financing for construction.

NEW BUSINESS

2. [Project Funding Requests to Kansas Department of Transportation.](#)

The Kansas Department of Transportation is receiving project submittals for future KLINK resurfacing, geometric improvement, and economic development projects.

RECOMMENDED ACTION: Approve proposed projects; authorize project submittals to KDOT.

3. 2002 Annual Operating Budget and Revisions to the 2001 Budget.

RECOMMENDED ACTION: Receive comments; set the public hearing on Proposed 2002 Budget and the Revised 2001 Budget for August 14, 2001; approve first reading of the Ordinances.

CITY COUNCIL AGENDA

4. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

5. Report of the Board of Bids and Contracts Dated July 23, 2001.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts; authorize the necessary signatures.

6. Application for Licenses for Adult Entertainment Establishments/Services:

Renewal Adult Entertainment:

Valerie Washington	Xcitement Video	220 East 21 st Street
Valerie Washington	Xcitement Video	3909 West Pawnee

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

7. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
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Richard Diamond	Ty's Diner Inc.*	928 West Second
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(Consumption off Premises)

David Bullington	Wal-Mart Supercenter #1507	3030 North Rock Road
Benjamin J. Schultz	T&E Oil Co., Inc. dba Pantry + #11	3935 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

8. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

9. Preliminary Estimates:

- a) Pave 24th Street North, from the east line of Hood to the west line of Payne to serve Theising's First Addition - south of 25th Street North, west of Arkansas. (472-83331/765675/490786) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$35,000
- b) 24th Street North, from the east line of Payne to the west line of Salina to serve Theising's First Addition - south of 25th Street North, west of Arkansas. (472-83332/765676/490787) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$35,000
- c) Glen Wood from the north line of 13th Street to the south line of Edgewood; Birchwood from the east line of Glen Wood to the east line of Lot 5, Block 7; Glen Wood Court, serving Lots 34 through 37, Block 4, from the west line of Glen Wood to and including the cul-de-sacs; Glen Wood Court, serving Lots 31, 32, and 33, Block 4, from the west line of Glen Wood to and including the cul-de-sac; Sidewalk on the east side of Glen Wood from the north line of 13th to the south line of Edgewood and on the north side of Birchwood from the east line of Glen Wood to the east line of Lot 5, Block 7 to serve Rocky Creek Addition - north of 13th Street North, east of 127th Street East. (472-83035/765680/490791) Does not affect existing traffic. (District II) - \$382,800
- d) Lateral 66, Main 9, Sanitary Sewer 23 to serve Whispering Brook Commercial Second Addition - south of 37th Street North, west of Woodlawn. (468-83220 /743876/480564) Does not affect existing traffic. (District I) - \$34,000
- e) Water Distribution System to serve Smithmoor 10th Addition - south of Harry, west of Greenwich. (448-89595/735019/470689) Does not affect existing traffic. (District II) - \$51,900.00
- f) Air Cargo and Crossfield Roads Rehabilitation. \$320,000

RECOMMENDED ACTION: Approve and file.

10. Easements:

- a) Utility Easement dated June 29, 2001, from Larry D. Fleming for tracts of land in Lots 1 and 2, Block 1, YMCA South Addition, an addition to Wichita, Sedgwick County, Kansas (SED 163, OCA #751298). No cost to City.
- b) Utility Easement dated July 3, 2001, from COF, LLC for a tract of land in Lot 3, Block 1, YMCA South Addition, an addition to Wichita, Sedgwick County, Kansas (SWD 163, OCA #751298). No cost to City.
- c) Drainage Easement dated July 24, 2001, from City of Wichita for Shelly's Orchard Phase I street improvements – in Pawnee Prairie Park. (OCA#202521)

RECOMMENDED ACTION: Accept the documents.

11. Petitions for Public Improvements:

- a) Sanitary sewer and water distribution system to serve Westlink Christian Church Addition – south of 21st, west of Maize. (District V)

(Item 11 continued)

- b) [Decel](#) lane and left-turn lane on Woodlawn, South of 37th Street North to serve Whispering Brook Commercial Second Addition. (District I)
- c) [Sanitary](#) sewer to serve an unplatted tract on the east side of Greenwich, south of Kellogg. (District II)

RECOMMENDED ACTION: Approve the Petitions; adopt the Resolutions.

12. Minutes of Advisory Boards/Commissions:

Wichita-Sedgwick County Board of Health, June 14, 2001
Metropolitan Area Planning Commission, June 21, 2001
Board of Electrical Appeals, June 12, 2001
Police and Fire Retirement System, May 16, 2001
Board of Park Commissioners, June 11, 2001
District Advisory Board VI, June 4, 2001
Wichita Employees' Retirement System, May 16, 2001
Office of Wichita Public Library, June 21, 2001
Metropolitan Area Planning Commission, June 7, 2001
Housing Advisory Board, May 22, 2001

RECOMMENDED ACTION: Receive and file.

13. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

14. Agreements/Contracts:

- a) [Gilbert](#) and Mosley Amendment.
- b) [Emission](#) Inventory – Environmental Health.
- c) [Relocation](#) of utilities along Woodlawn, south of 37th Street North. (District I)
- d) [Concepts](#) Development for BNSF Rail Corridor.

RECOMMENDED ACTION: Approve the Agreements/Contracts; authorize the necessary signatures.

15. [Redemption](#) of General Obligation Bonds (Series 736).

RECOMMENDED ACTION: Authorize redemption implementation.

16. [Industrial](#) Revenue Bond Purchase Option – Lincoln Meadows, Inc. (District II)

RECOMMENDED ACTION: Authorize the Bond call; adopt the Resolution; authorize necessary

signatures.

17. Property Acquisition:

- a) 11430 West Kellogg. (District V)

RECOMMENDED ACTION: Approve the budgets and Contracts; authorize the necessary signatures.

18. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>		<u>Address</u>	<u>District</u>
1.	948 West 31 st North	VI	2.	1747 South Euclid	IV
3.	1251 North Broadway	VI	4.	2016 North Jackson	VI
5.	213 North Baehr	IV	6.	2744-48 South Vassar	III

RECOMMENDED ACTION: Adopt the Resolution (s) setting the Public Hearing on September 11, 2001, at 10:30 a.m.

19. Amending Resolutions and Ordinance: Watson Park, Naftzger Park, John's Sludge Pond Park Study, and Hydraulic Improvement. (Districts I and III)

RECOMMENDED ACTION: Adopt Resolutions; approve first reading of Ordinance.

20. Second Reading Ordinances: (First read July 17, 2001)

- a) Issuance of Industrial Revenue Bonds – Arst Realty, L.L.C. (Goldsmith's Inc.). (District II)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$2,115,000 aggregate principal amount of Taxable Industrial Revenue Bonds, Series VI, 2001 (Goldsmith's, Inc. Project) for the purpose of providing funds to acquire a site and construct and equip a corporate headquarters and distribution center; prescribing the form and authorizing execution of a trust indenture by and between the City and Bank of Oklahoma, N.A., Oklahoma City, Oklahoma, as trustee with respect to the bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City and Arst Realty, L.L.C.; approving the sublease of the project to Goldsmith's, Inc.; approving the form of a Guaranty Agreement; authorizing the execution of a bond placement agreement by and among the City, Arst Realty, L.L.C. and General Electric Capital Business Asset Funding Corporation, as purchaser of the Bonds.

- b) Lincoln Bridge at Fabrique and 53rd Street North Bridge at the Little Arkansas River. (Districts III and VI)

1. An Ordinance declaring the Lincoln Bridge at the Fabrique Ditch, 472-83400, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of authorizing certain improvements to said main trafficway within the City of Wichita, Kansas, declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

(Item 20 continued)

2. An Ordinance declaring the 53rd Street North Bridge at the Little Arkansas River, 472-83401, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of authorizing certain improvements to said main trafficway within the City of Wichita, Kansas, declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

- c) ZON2001-00028 – Northwest corner of 37th Street North and Wormer. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-00028

- d) ZON2001-00035 – Northwest of the West Street/Eighth Street Intersection. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-00035

- e) DR2001-07 – Proposed Amendments to the Unified Zoning Code related to parking and storage of vehicles and registration of nonconformities.

An Ordinance providing amendments to Section II-B.5a; Section 11-B.a; Section II-B.10.d.; Section II-B 13.c; Section II-B.14.c; Section II-B.14-j; Section II.B14.r; Section III-D.7.b (11); Section III-d.7.b (12); and Section VIII-I of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition, as adopted by reference in City of Wichita Code Sec. 28.04.010 by Ordinance No. 44-975, dealing with parking and storage of vehicles and registration of nonconformities.

- f) A01-08 – West of 119th Street West, from South of 13th Street North to North of 21st Street North. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A01-08

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *21. D-1769 – Dedication of Street Right-of-Way for Property Located on the North Side of Kellogg, East of Rock Road. (District II)

RECOMMENDED ACTION: Accept Dedication.

- *22. [D-1771](#) – Dedication of Utility Easement for Property Located on the North Side of Kellogg, East of Rock Road.
(District II)

RECOMMENDED ACTION: Accept Dedication.

- *23. [SUB2000-30](#) – Plat of Auburn Hills 11th Addition Located East of 151st Street West, North of Kellogg
(District V)

RECOMMENDED ACTION: Approve documents and plat; authorize
necessary signatures; adopt Resolutions.

Resolutions and Ordinance: Watson Park, Naftzger Park, John's Sludge Pond Park Study, and Hydraulic Improvement.
(Districts I and III)

- *24. [SUB2001-20](#) – Ridge Port North Fourth Addition Located on the South Side of 37th Street North, East of Ridge
Road. (District V)

RECOMMENDED ACTION: Approve documents, plat, and first reading
of ZON2001-05 Ordinance; authorize
necessary signatures; adopt Resolutions.

- *25. [SUB2001-54](#) – Plat of Payday Motors Addition Located North of 47th Street South, West of Broadway.
(District IV)

RECOMMENDED ACTION: Approve documents, plat, and first reading
of Z-3345 Ordinance; authorize
necessary signatures; adopt Resolutions.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

26. [Supplemental Agreement – Bevan-Rabell.](#)

RECOMMENDED ACTION: Approve Agreement; authorize
necessary signatures.

27. [Airport Advisory Board Member Travel.](#)

RECOMMENDED ACTION: Approve travel and budget exception.

Adjournment
